

UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

UNIVERSITY OF NEBRASKA AT
KEARNEY; BOARD OF REGENTS OF
THE UNIVERSITY OF NEBRASKA;
DAVID BRANDT; CHERYL
BRESSIONGTON; CHRISTY HORN; and
GAIL ZELLER,

Defendants.

CASE NO. 4:11CV3209

MEMORANDUM AND ORDER

The parties' Joint Motion to Amend the Progression Order (Filing No. 73) is GRANTED, and the progression schedule is amended as follows:

- (1) Plaintiff shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **August 5, 2013.**
- (3) Defendants shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **September 3, 2013.**
- (4) Plaintiff shall disclose all rebuttal expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **September 24, 2013.**
- (5) The parties shall complete all discovery in this case no later than **October 1, 2013.** Motions to compel Rule 33 through 36 discovery must be filed by **September 17, 2013.**
- (6) Any motion to dismiss, motion for summary judgment or motion for judgment on the pleadings shall be filed no later than **November 5, 2013.**
- (7) Motions to exclude expert testimony on *Daubert* and other related grounds shall be filed no later than **December 3, 2013.**
- (8) The trial of this case will commence before the Honorable John M. Gerrard, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on **February 10, 2014** or as soon thereafter as the cause may be called, for a duration

of four (4) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.

- (9) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **January 28, 2014** at 11:00 a.m., and will be conducted by WebEx conferencing. To facilitate this conferencing method, the parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to zwart@ned.uscourts.gov, in either Word Perfect or Word format, by 5:00 p.m. on January 27, 2014. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx.

Dated this 4rd of April, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge